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Attorney Docket No. 26418U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CAHILL et al.

Serial Number: 10/511,205

Group Art Unit: 1642

Filed: February 15, 2005

Examiner: AEDER, S. E.

International App. No.: PCT/EP03/03892

International Filing Date: 15 April 2003 (15.04.2003)

Title: **USE OF SUBSTANCES FOR TREATING TUMORS**

TRANSMITTAL LETTER

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form-1449 citing thirty-eight (38) references; and
- (4) Thirty-six of the thirty-eight cited references attached.

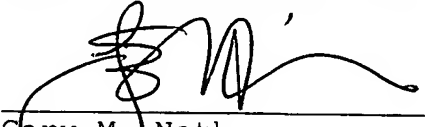
The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

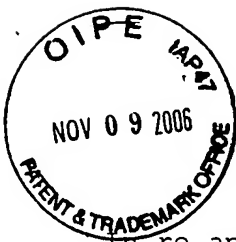
Respectfully submitted,

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Date: November 9, 2006

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- ☐ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- ☐ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

- ☐ i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or
- ☐ ii. a check in the amount required by 37 C.F.R. § 1.17(p).
- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.
- ☐ Certification report(e) below; and
- ☐ a check in the amount as required by § 1.17(p).
- ☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.
- ☒ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[X] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[X] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[X] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

And/or

[] h. Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

And/or

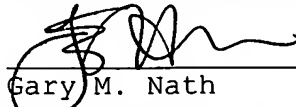
[X] i. Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:



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FORM PTO-1449 INFORMATION DISCLOSURE CITATION		In re Application of: CAHILL et al.		Art Unit: 1642	
		Serial No: 10/511,205	Filed: October 14, 2004	Examiner: AEDER, S. E.	
U.S. PATENT DOCUMENTS					
Examiner Initial		Document Number	Issue / Publication Date	Inventor	Filing Date
	A1	6,030,824	29 Feb 2000	Hillman et al.	01 Feb 1999
	A2	5,856,330 (corresponds with EP 0 821 960 A)	05 Jan 1999	Mullner et al.	23 Jul 1997
FOREIGN DOCUMENTS					
Examiner Initial		Document Number	Publication Date	Country	Translation
	B1	EP 0 821 960 A	28 Jul 1997	EUROPE	Corresponding 5,856,330
	B2	WO 99/22729	14 May 1999	PCT	n/a
	B3	WO 01/94376 A	13 Dec 2001	PCT	n/a
	B4	WO 02/009748 A	07 Feb 2002	PCT	n/a
	B5	WO 01/88158 A (attaching XP-002389528)	22 Nov 2001	PCT	Abstract
	B6	WO 01/46250 A (attaching XP-002389531)	28 Jun 2001	PCT	Abstract
	B7	WO 01/94376 A (attaching XP-002389530)	13 Dec 2001	PCT	n/a
	B8	WO 01/72791 A (attaching XP-002389532)	04 Oct 2001	PCT	n/a
OTHER					
Examiner Initial		(Including Author, Title, Date, Pertinent Pages, etc.)			
	C1	(XP-001122363) PETRIE III et al., "Synthesis of analogs of N-acetylneuraminic acid and their effect on CMP-sialate synthase," Carbohydrate Research, 186: 326-334 (1989).			
	C2	(XP-002104552) ALAIYA et al., "Phenotypic Analysis of Ovarian Carcinoma: Polypeptide Expression in Benign, Borderline and Malignant Tumors," International Journal of Cancer, 73:678-683 (1997).			
	C3	(XP-002298703) ALMOND et al., "The Proteasome: a novel target for cancer chemotherapy," Leukemia, 16:433-443 (2002).			
	C4	(XP-002389495) Lawrence et al., "Cloning and Expression of the Human N-Acetylneuraminic Acid Phosphate Synthase Gene with 2-Keto-deoxy-D-glycero-D-galacto-nononic Acid Biosynthetic Ability," The Journal of Biological Chemistry, Vol. 275, pp. 17869-17877 (June 9, 2000).			

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		Serial No: 10/511,205	Filed: October 14, 2004	Examiner: AEDER, S. E.
OTHER (cont.)				
	C5	(XP-002389496) OU et al., "Proteome analysis of a human hepatocellular carcinoma cell line, HCC-M: An Update," Electrophoresis, 22:2804-2811 (2001).		
	C6	(XP-002389497) KIM et al., "Expression of a functional <i>Drosophila melanogaster</i> N-acetylneuraminic acid (Neu5Ac) phosphate synthase gene: evidence for endogenous sialic acid biosynthetic ability in insects," Glycobiology, Vol. 12, No. 2, pp.73-83 (2002).		
	C7	(XP-002389498) ZENG et al., "Suppression of Ganglioside GD3 Expression in a Rat F-11 Tumor Cell Line Reduces Tumor Growth, Angiogenesis, and Vascular Endothelial Growth Factor Production," Cancer Research, 60:6670-6676 (December 1, 2000).		
	C8	(XP-002389499) MIURA et al., "Application of L-Threonine Aldolase-Catalyzed Reaction to the Preparation of Protected 3R, 5R, Dihydroxy-L-homoproline as a Mimetic of Idulonic Acid," Chirality 13:577-580, (2001).		
	C9	(XP-002389500) WILK et al., "Properties of the Beta Subunit of the Proteasome Activator PA28 (11S REG)," Archives of Biochemistry and Biophysics, Vol. 384, No. 1, pp. 174-180 (2000).		
	C10	(XP-002389501) STOHWASSER et al., "PA28 $\alpha\beta$ double and PA28 β single transfectant mouse B8 cell lines reveal enhanced presentation of a mouse cytomegalovirus (MCMV) pp89 class I epitope," Molecular Immunology, 37:13-19 (2000).		
	C11	(XP-002389502) PIEPER et al., "Biochemical Identification of a Mutated Human Melanoma Antigen Recognized by CD4+ T Cells," The Journal of Experimental Medicine, Vol. 189, No. 5, pp. 757-765 (1999).		
	C12	(XP-002389518) NORMAN et al., "Purification and Characterization of Phosphoglycolate Phosphatase from the Cyanobacterium <i>Coccochloris peniocystis</i> ," Plant Physiology, 95:693-698 (1991).		
	C13	(XP-002389519) NAGAMINE, et al., "Isolation of cDNA for a Novel Human Protein KNP-1 That is Homologous to the E. coli SCRP-27A Protein from the Autoimmune Polyglandular Disease Type 1 (APECED) Region of Chromosome 21q22.3," Biochemical and Biophysical Research Communications, 225:608-616 (1996).		

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		Serial No: 10/511,205	Filed: October 14, 2004	Examiner: AEDER, S. E.
Other (cont.)				
	C14	(XP-002389520) PARK et al., "Mapping of a new target region of allelic loss at 21q22 in primary gastric cancers," Cancer Letters, 159:15-21 (2000)		
	C15	(XP-002389521) KANAI et al., "mRNA expression of genes altered by 5-azacytidine treatment in cancer cell lines is associated with clinicopathological parameters of human cancers," Journal of Cancer Research and Clinical Oncology, 127:697-706 (2001).		
	C16	(XP-002389522) ZEBDA et al., "Phosphorylation of ADF/Cofilin Abolishes EGF-induced Actin Nucleation at the Leading Edge and Subsequent Lamellipod Extension," The Journal of Cell Biology, Vol. 151, No. 5, pp. 1119-1127 (2000).		
	C17	(XP-002389528 - Attaching WO 01/88158 A) Database WPI; Derwent Publications Ltd.; November 22, 2001.		
	C18	(XP-002389529) Database WPI; Derwent Publications Ltd.; October 3, 2001.		
	C19	(XP-002389530 - Attaching WO 01/94376 A) Database WPI; Derwent Publications Ltd.; November 29, 2001.		
	C20	(XP-002389531 - Attaching WO 01/46250 A) Database WPI; Derwent Publications Ltd.; July 3, 2001.		
	C21	(XP-002389532 - Attaching WO 01/72791 A) Database WPI; Derwent Publications Ltd.; October 4, 2001.		
	C22	(XP-002967640) GILLET et al., "Mapping of human non-muscle type cofilin (CFL1) to chromosome 11q13 and muscle-type cofilin (CFL2) to chromosome 14," Annotated Human Genetics, 60:201-211 (1996).		
	C23	(XP-009068792) HADFIELD et al., "N-Acetyl-D-Mannosamine Analogues as Potential Inhibitors of Sialic Acid Biosynthesis," Journal of Pharmaceutical Sciences, Vol. 72, No. 7 (July 1983).		
	C24	(XP-009068954) Nobuo MATSUZUKA, "Experimental and Clinical Studies on Triosephosphate Isomerase and its Isoenzymes," Hokkaido Journal of Medical Science, Vol. 52, No. 5, pp. 439-455 (1977).		
	C25	(XP-009069171) BECK et al., "Cloning of contiguous genomic fragments from human chromosome 21 harbouring three trefoil peptide genes," Human Genetics, 98:233-235 (1996).		
	C26	ANGELINO et al., "Versatile intermediates in the selective modification of the amino function of 2-amino-2-deoxy-D-mannopyranose and the potential membrane modifiers in neoplastic control," Carbohydrate Research, 276:99-115 (1995).		

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		Serial No: 10/511,205	Filed: October 14, 2004	Examiner: AEDER, S. E.
Other (cont.)				
	C27	LIU et al., "Comparison of chemical and enzymatic synthesis of 2-acetamido-2-deoxy-D-mannose 6-phosphate: a new approach," Carbohydrate Research, 330:413-419 (2001).		
	C28	SCHUURING, Ed, "The involvement of the chromosome 11q13 region in human malignancies: cyclin D1 and EMS1 are two new candidate oncogenes - a review," Genetics, 159:83-96 (1995).		
Examiner		Date Considered		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.				